

**United States Environmental Protection Agency  
Criminal Investigation Division  
Investigative Activity Report**

**Case Number**

0500-0614

**Case Title:**

Village of Crestwood, IL

**Reporting Office:**

Chicago, IL, Area Office

**Subject of Report:**

Interview of (b) (6), (b) (7)(C) on November 16, 2009

**Activity Date:**

November 16, 2009

**Reporting Official and Date:**

(b) (6), (b) (7)(C), SA

29-DEC-2009, Signed by: (b) (6), (b) (7)(C), SA

**Approving Official and Date:**

(b) (6), (b) (7)(C), SAC

04-JAN-2010, Approved by: (b) (6), (b) (7)(C), ASAC

**SYNOPSIS**

11/16/2009 - On November 16, 2009, (b) (6), (b) (7)(C) was interviewed. (b) (6), (b) (7)(C) provided details regarding (b) (6) employment at Christopher Burke Engineering, as well as information regarding two LMO forms that (b) (6) filled out on behalf of the Village of Crestwood in 1999 and 2000.

**DETAILS**

On November 16, 2009, (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), Palos Park, IL, IL DL# (b) (6), (b) (7)(C), DOB (b) (6), (b) (7)(C) SSN (b) (6), (b) (7)(C), Professional Engineer Number (b) (6), (b) (7)(C), was interviewed by this reporting agent (RA), Special Agent (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) and Special Agent (b) (6), (b) (7)(C) of the U.S. Environmental Protection Agency Criminal Investigation. This interview was conducted at Christopher Burke Engineering, located in Mokena, IL.

Upon meeting (b) (6), (b) (7)(C) agents displayed EPA-CID credentials to (b) (6). RA advised (b) (6), (b) (7)(C) that agents wished to speak to (b) (6) regarding (b) (6) employment with Christopher Burke Engineering, along with issues relating to the drinking water reports which (b) (6) had prepared on behalf of the Village of Crestwood, IL. (b) (6), (b) (7)(C) agreed to speak with agents.

In summary and not verbatim unless otherwise noted, (b) (6), (b) (7)(C) provided the following information:

(b) (6), (b) (7)(C) is currently employed by Christopher Burke Engineering (CBE), where (b) (6) has been employed as a senior civil engineer for ten years. Prior to working directly for CBE, (b) (6), (b) (7)(C) worked as a contract employee for the company for several years. (b) (6), (b) (7)(C) stated that CBE has no relationship to another engineering company, Edmund Burke Engineering. (b) (6), (b) (7)(C) is (b) (6), (b) (7)(C) and split off to form (b) (6) own company many years ago.

SA (b) (6), (b) (7)(C) advised (b) (6), (b) (7)(C) that agents had determined that (b) (6), (b) (7)(C) had filled out forms on behalf of Crestwood, which related to their drinking water and well use. (b) (6), (b) (7)(C) indicated that (b) (6) did recall filling out forms, but could not recall in what specific years that (b) (6) had completed the work. SA (b) (6), (b) (7)(C) then showed (b) (6), (b) (7)(C) two LMO-2 forms, one from 1999 and one from 2000, which were attached to letters prepared by (b) (6), (b) (7)(C).

(b) (6), (b) (7)(C) agreed that (b) (6) had prepared these two reports, as the 1999-2000 timeframe seemed to be correct. (b) (6), (b) (7)(C) indicated that (b) (6) had never filled out LMO forms prior to doing it for Crestwood. (b) (6), (b) (7)(C) went on to say that any of the data found on the forms would have been

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supplied to (b) (6), (b) (7)(C) by Crestwood officials, and most likely, (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) could not have even begun to fill out the forms without getting the required data from Crestwood officials. (b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) knew one of the (b) (6), (b) (7)(C) that worked for the Village, (b) (6), (b) (7)(C) but did not recall ever getting information directly from (b) (6), (b) (7)(C).

SA (b) (6), (b) (7)(C) directed (b) (6), (b) (7)(C) attention to a post it note on a spreadsheet attached to the 1999 form, which read "Gave to (b) (6), (b) (7)(C) 9/12/00". (b) (6), (b) (7)(C) indicated that neither the writing on the note, nor the writing on the spreadsheet, looked like (b) (6), (b) (7)(C) handwriting. SA (b) (6), (b) (7)(C) then directed (b) (6), (b) (7)(C) attention to the column on the spreadsheet which is entitled "Well Included in #2 Figure", along with the space on the LMO form which requested aquifer pumpage totals. (b) (6), (b) (7)(C) studied the two pages, and acknowledged that data from the spreadsheet, which indicated well use, was not reported on the form under aquifer use, or, well use.

(b) (6), (b) (7)(C) again stated that (b) (6), (b) (7)(C) had never filled out the forms before, and that (b) (6), (b) (7)(C) had made a mistake in filling them out. (b) (6), (b) (7)(C) then recalled that, while trying to figure the forms out, (b) (6), (b) (7)(C) had contacted (b) (6), (b) (7)(C) of Edmund Burke Engineering for assistance in filling out the forms. (b) (6), (b) (7)(C) had contacted (b) (6), (b) (7)(C) as (b) (6), (b) (7)(C) had filled out LMO forms on behalf of Crestwood in the past.

(b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) advised (b) (6), (b) (7)(C) how to complete the form over the phone. Although (b) (6), (b) (7)(C) does not recall the conversation specifically, (b) (6), (b) (7)(C) indicated that they never talked about intentionally omitting data from the spreadsheet regarding well use. (b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) does recall that there was water loss from the Crestwood system, and wondered where so much water could be going. (b) (6), (b) (7)(C) advised (b) (6), (b) (7)(C) that water loss under eight percent was acceptable. (b) (6), (b) (7)(C) was not advised by (b) (6), (b) (7)(C) to change any figures to get the water loss figures below eight percent.

(b) (6), (b) (7)(C) indicated that in preparing the LMO forms, there were calculations that needed to be made based upon information that had been provided by Crestwood. If Crestwood had purchased a total of 496 million gallons, (b) (6), (b) (7)(C) would divide by 365 or 366 to determine daily use. All of the numbers came from calculations that (b) (6), (b) (7)(C) made, based upon the information on the sheets. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) did not do the calculations for (b) (6), (b) (7)(C).

(b) (6), (b) (7)(C) indicated that no one from the Village of Crestwood asked (b) (6), (b) (7)(C) to change or alter the data, or calculations, at any time. (b) (6), (b) (7)(C) was never asked to prepare two sets of LMO forms to conceal well use. (b) (6), (b) (7)(C) could not recall whether (b) (6), (b) (7)(C) was provided with a previous year's LMO form to use as a go by.

(b) (6), (b) (7)(C) stated that the bottom line was that (b) (6), (b) (7)(C) screwed up by not including the well data on the LMO forms. (b) (6), (b) (7)(C) again stated that the omission was not intentional, and had not been directed to change anything on the forms.

SA (b) (6), (b) (7)(C) asked if (b) (6), (b) (7)(C) had any records relating to filling out these LMO forms, such as a rough draft or notes. (b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) had previously looked through 35 boxes for records relating to Crestwood, and found nothing. At the time (b) (6), (b) (7)(C) prepared these forms, (b) (6), (b) (7)(C) was a contract employee for CBE. This meant that the paperwork was likely prepared

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at (b) (6), (b) (7)(C) home, and not in an office.

Once (b) (6), (b) (7)(C) had completed the forms, (b) (6), (b) (7)(C) believes that (b) (6), (b) (7)(C) likely hand delivered them back to the Village. The forms would have been given back to either (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), or (b) (6), (b) (7)(C), the village clerk. These are the office people that (b) (6), (b) (7)(C) would have dealt with. (b) (6), (b) (7)(C) indicated that the forms would not have been given to (b) (6), (b) (7)(C) who was a water operator.

(b) (6), (b) (7)(C) indicated that (b) (6), (b) (7)(C) has known (b) (6), (b) (7)(C) for nearly 25 years. (b) (6), (b) (7)(C) again stated that neither (b) (6), (b) (7)(C), nor anyone else, had advised (b) (6), (b) (7)(C) to omit data concerning well use, or to bring water loss numbers below eight percent on the LMO forms.

(b) (6), (b) (7)(C) indicated that the reason that (b) (6), (b) (7)(C) only had prepared the forms for two years was because that is how long CBE worked with Crestwood. Prior to, and then following CBE doing work for Crestwood, Crestwood utilized Edmund Burke Engineering. During this two year stretch, (b) (6), (b) (7)(C), an Edmund Burke Official, and the Crestwood mayor, had gotten into an argument. During that argument, Crestwood pulled their business away from Edmund Burke Engineering. After (b) (6), (b) (7)(C) and the mayor, (b) (6), (b) (7)(C), had made up, Edmund Burke Engineering got Crestwood's business back.